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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,772	04/13/2004	Sung-wook Park	1101.0215	3188

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North Star Intellectual Property Law, PC  
P.O. Box 34688  
Washington, DC 20043

EXAMINER
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ALVESTEFFER, STEPHEN D

ART UNIT	PAPER NUMBER
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2175

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/822,772	<b>Applicant(s)</b> PARK ET AL.	
	<b>Examiner</b> Stephen Alvesteffer	<b>Art Unit</b> 2175	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 33,35 and 37-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 33,35 and 37-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>20100602</u> | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

This Office Action is responsive to the Response filed February 25, 2010. No claims were amended. Claims 1-32, 34, and 36 were previously cancelled. Claims 33 and 35 are independent. Claims 33, 35, and 37-44 remain pending.

The Information Disclosure Statement (IDS) filed June 2, 2010 was considered by the examiner.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 33, 35, and 37-39, and 41-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (hereinafter Kim), United States Patent Application Publication 2003/0012558 and Taira et al. (hereinafter Taira), United States Patent 6,009,234.

**Regarding claim 33**, Kim substantially teaches an information storage medium for use with a reproducing apparatus providing a visual display of interactive graphics, the information storage medium comprising:

an audio-visual (AV) data stream (see Kim paragraph [0042], *“the reproducing apparatus decodes audio/video (AV) data recorded on a DVD 300 and reproduces the AV data as an AV data stream”*); and

a plurality of interactive graphics streams corresponding to the audio-visual data stream, which are used to control reproduction of the audio-visual data stream (see Kim paragraph [0047], *“The DVD 300 contains multiple markup documents having the same meaning of the content in different languages so that the text information included in the markup documents can be displayed in multiple languages. That is, the DVD 300 includes the multiple markup documents which contain exactly the same meaning text information in respective multiple languages”*);

wherein:

each of the plurality of interactive graphics streams corresponds to a different one of a plurality of languages, and can be reproduced by the reproducing apparatus with the audio-visual data stream (see Kim paragraph [0051], *“the DVD 300 includes the video data having first captions and interactive data having second captions. The*

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*information storage medium includes the AV data representing the video picture and the sub-picture data representing the first captions to be displayed in respective multiple languages with the video picture in a video picture section of the display window defined by the markup document. The information storage medium also includes in the interactive data multi-language markup document information containing the text information representing second captions to be displayed in respective multiple languages in a text section of the markup document”);*

one interactive graphics stream among the plurality of interactive graphics streams is selected by attribute information stored in a player status register in the reproducing apparatus (Taira, addressed below); and

the selected interactive graphics stream is reproduced by the reproducing apparatus together with the audio-visual data stream (see Kim paragraph [0057], “*if the user selects Korean, Japanese, or English for the caption, the markup document is displayed in the corresponding language, Korean, Japanese, or English*”).

Kim does not disclose one interactive graphics stream among the plurality of interactive graphics streams is selected by attribute information stored in a player status register in the reproducing apparatus. Kim only teaches user selection of a language. Taira teaches a method of reproducing information in which a language code is stored in the player apparatus and is used to select a data stream (see Taira column 43 lines 51-56, “*the language previously held in the apparatus, or the player, is referred to and an audio stream and a video stream are set*”). It would have been obvious to one of ordinary skill in the art at the time the invention was made to store the language

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information in the reproducing apparatus as taught by Taira in the invention of Kim so that the user does not have to redundantly set the language each time the recording medium is played.

**Regarding claim 35**, Kim substantially teaches an apparatus to provide a visual display of interactive graphics by using an audio-visual (AV) data stream and one of a plurality of interactive graphics streams corresponding to the audio-visual data stream stored on an information storage medium, the apparatus comprising:

a processor to obtain attribute information from a player status register in the apparatus (Taira, addressed below); and

a decoder to select one interactive graphics stream corresponding to the obtained attribute information from among the plurality of interactive graphics streams from the information storage medium, and reproduce the selected interactive graphics stream together with the audio-visual data stream (see Kim paragraph [0057], *“if the user selects Korean, Japanese, or English for the caption, the markup document is displayed in the corresponding language, Korean, Japanese, or English”*);

wherein:

the plurality of interactive graphics streams are used to control reproduction of the audio-visual data stream (see Kim paragraph [0047], *“The DVD 300 contains multiple markup documents having the same meaning of the content in different languages so that the text information included in the markup documents can be displayed in multiple languages. That is, the DVD 300 includes the multiple markup*

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*documents which contain exactly the same meaning text information in respective multiple languages”); and*

each of the plurality of interactive graphics streams corresponds to a different one of a plurality of languages and can be reproduced with the audio-visual data stream (see Kim paragraph [0051], *“the DVD 300 includes the video data having first captions and interactive data having second captions. The information storage medium includes the AV data representing the video picture and the sub-picture data representing the first captions to be displayed in respective multiple languages with the video picture in a video picture section of the display window defined by the markup document. The information storage medium also includes in the interactive data multi -language markup document information containing the text information representing second captions to be displayed in respective multiple languages in a text section of the markup document”*).

Kim does not disclose a processor to obtain attribute information from a player status register in the apparatus. Kim only teaches user selection of a language. Taira teaches a method of reproducing information in which a language code is stored in the player apparatus and is used to select a data stream (see Taira column 43 lines 51-56, *“the language previously held in the apparatus, or the player, is referred to and an audio stream and a video stream are set”*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to store the language information in the reproducing apparatus as taught by Taira in the invention of Kim so that the user does not have to redundantly set the language each time the recording medium is played.

**Regarding claim 37**, Kim/Taira teaches that the processor executes a program object comprised of navigation commands that is related to the audio-visual data stream to enable the selecting of the one interactive graphics stream (see Kim paragraph [0069], *“If the language change is possible, the presentation engines displays a menu where the kind of displayable languages that can be selected is indicated by referring to the displayable language information of the multi -language markup document information in operation 807”*).

**Regarding claim 38**, Kim/Taira teaches that the processor loads and executes an interactive graphics stream change program included in the one interactive graphics stream that is being reproduced and reads, and reproduces another interactive graphics stream selected according to new attribute information obtained by executing the interactive graphics stream change program (see Kim paragraph [0069], *“If the language change is possible, the presentation engines displays a menu where the kind of displayable languages that can be selected is indicated by referring to the displayable language information of the multi -language markup document information in operation 807. If the user selects the language in operation 808, the presentation engine 5 retrieves the relevant markup document by referring to the language directory information (and the language mapping table) and the reader 1 reads the retrieved markup document in operation 809. The presentation engine 5 displays the read markup document in operation 810”*).

**Regarding claim 39**, Kim/Taira teaches that the interactive graphics stream change program is a button command included in a button object (see Kim paragraph



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[0069], *"the presentation engines displays a menu where the kind of displayable languages that can be selected is indicated by referring to the displayable language information of the multi -language markup document information in operation 807"*).

**Regarding claim 41**, Kim/Taira teaches that if the plurality of interactive graphics streams do not include an interactive graphics stream corresponding to the obtained attribute information, the reproducing apparatus stores a stream number of a predetermined interactive graphics stream of the plurality of interactive graphics streams in the player status register in the reproducing apparatus, and reproduces the predetermined interactive graphics stream together with the audio-visual data stream (see Kim paragraph [0044], *"In terms of hardware, the presentation engine 5 is set to have a first default value of markup document language information of the reproducing apparatus, that is, the information about a language of the markup document that is displayed when the interactive mode is selected. For example, the reproducing apparatus to be sold in English-speaking nations has the markup document language information that commands a selection of the markup document having text information in English"*).

**Regarding claim 42**, Kim/Taira teaches that if the plurality of interactive graphics streams do not include an interactive graphics stream corresponding to the obtained attribute information, the processor stores a stream number of a predetermined interactive graphics stream of the plurality of interactive graphics streams in the player status register in the apparatus, and the decoder reproduces the predetermined interactive graphics stream together with the audio-visual data stream (see Kim

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paragraph [0044], *"In terms of hardware, the presentation engine 5 is set to have a first default value of markup document language information of the reproducing apparatus, that is, the information about a language of the markup document that is displayed when the interactive mode is selected. For example, the reproducing apparatus to be sold in English-speaking nations has the markup document language information that commands a selection of the markup document having text information in English"*).

**Regarding claim 43**, Kim/Taira teaches that each of the plurality of interactive graphics streams comprises information required to provide a graphical interactive display and associated commands of the graphical interactive display (see Taira column 36 lines 45-53, *"In each of n VTSM language units (VTSM.sub.-- LU) 352 prepared for respective languages, VTSM menu language unit information (VTSM.sub.-- LUI) 353 and VTSM.sub.-- PGCI search pointers (VTSM.sub.-- PGCI.sub.-- SRP) 354 of a number corresponding to the number of menu program chains are provided as shown in FIG. 70, and VTSM.sub.-- PGC information items (VTSM.sub.-- PGCI) 355 searched for by the search pointers and corresponding in number to the menu program chains are provided as shown in FIG. 70"*).

**Regarding claim 44**, Kim/Taira teaches that each of the plurality of interactive graphics streams comprises information required to provide a graphical interactive display and associated commands of the graphical interactive display (see Taira column 36 lines 45-53, *"In each of n VTSM language units (VTSM.sub.-- LU) 352 prepared for respective languages, VTSM menu language unit information (VTSM.sub.-- LUI) 353 and VTSM.sub.-- PGCI search pointers (VTSM.sub.-- PGCI.sub.-- SRP) 354 of a*

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*number corresponding to the number of menu program chains are provided as shown in FIG. 70, and VTSM.sub.-- PGC information items (VTSM.sub.-- PGCI) 355 searched for by the search pointers and corresponding in number to the menu program chains are provided as shown in FIG. 70").*

Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kim (US 2003/0012558) *supra*, Taira (US 6,009,234) *supra*, and Abecassis, United States Patent 6,289,165.

**Regarding claim 40**, Kim/Taira teaches that the attribute information comprises menu language information (see Taira column 43 lines 51-56, *"the language previously held in the apparatus, or the player, is referred to and an audio stream and a video stream are set"*). However, Kim/Taira does not explicitly teach that the attribute information includes viewer class information, sub-title language information, and audio language information. Abecassis teaches viewer class information (see Abecassis column 1 lines 18-28, *"capability to play one of a plurality of different content versions"*), sub-title language information (see Abecassis column 1 lines 18-28, *"Many DVDs include subtitles and/or closed captioning in a plurality of languages"*), and audio language information (see Abecassis column 1 lines 29-36, *"Devices capable of playing DVDs provide for... select language of the audio"*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include any or all of these common DVD attributes disclosed by Abecassis in the invention of Kim/Taira

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because they are standard DVD attributes that were well known in the art at the time the invention was made.

### ***Response to Arguments***

Applicant's arguments with respect to the rejection(s) of the claims under 35 USC 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection are made.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Katayama (US 5,915,066) Output control system for switchable audio channels
- Wakamoto (US 2001/0008753) Learning and entertainment device, method and system and storage media therefor

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Alvesteffer whose telephone number is (571)270-1295. The examiner can normally be reached on Monday-Friday 9:30AM-6:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on (571)272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Stephen Alvesteffer  
Examiner  
Art Unit 2175

/S. A./  
Examiner, Art Unit 2175

/Joshua D Campbell/  
Primary Examiner, Art Unit 2178